

Protection of Personal Data in Turkish Law

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Abstract

The rapid development of information and communication technologies has caused personal data to be shared and spread more easily. Consequently; protection of personal data has become an important need. Personal data is defined as; any data about a real person whose identity is identified or can be identified. Within this context, not only the basic personal identification information such as the person's name, surname, date and place of birth, but any other personal data that can be directly or indirectly make such person identifiable, such as phone number, motor vehicle plate number, social security number, passport number, personal background, photo, video or audio records, fingerprints, genetics data, IP address, e-mail address, equipment identities, hobbies, preferences, contact persons, group memberships, family information etc. are included within the scope of personal data. The right of the protection of personal data is included among the basic personal rights and freedoms. It is vital for the protection of the person's privacy and for the empowerment of democracy and the principle of the state of law. The basic reason for the protection of private life, including personal data, through constitutional guarantee is to allow for the free development of personality and to provide the person with a free environment where the person can be alone with himself/herself and his/her acquaintances without being disturbed by the state or by other people. Many legal arrangements have been made particularly on the international arena for the protection of personal data, which is one of the rights of personality. Among these, the Convention No. 108 for the Protection of Individuals with regard to Automatic Processing of Personal Data is the most significant one. This paper aims to analyze the Turkish law and legislation with regard to the protection of personal data. The current situation will be assessed with regard to conformance to international legislations.

Keywords: Information technologies, Protection of personal data, Turkish Law